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U.S. Department of Justice



United States Attorney Southern District of New York

The Silvio J. Mollo Building One Saint Andrew's Plaza New York, New York 10007

June 9, 2020

BY ECF

The Honorable Vernon S. Broderick United States District Judge Thurgood Marshall United States Courthouse 40 Foley New York, NY 10007

Re: United States v. Rodriguez et al., 20-145 (VSB)

Dear Judge Broderick:

The Government respectfully submits this letter, with consent of the defendants, to seek a 30-day adjournment of the status conference currently scheduled for June 10, 2020 at 10:30 a.m, and an exclusion of time under the Speedy Trial Act until the next scheduled status conference.

On March 18, 2020, the Government produced the vast majority of discovery in this case, including agent reports, audio recordings, text messages, warrants, photos, and laboratory reports. On June 3, 2020, the Government produced draft transcripts and draft translations of the audio recordings and text messages. The Government still anticipates producing the following categories of discovery: (1) additional laboratory reports; and (2) forensic images of seized electronic devices. The production of this additional discovery has been delayed due to the ongoing pandemic and stay-at-home orders, restricting the number of staff who are capable of generating the remaining discovery.

Accordingly, the parties respectfully request that the Court adjourn the status conference for 30 days to give the Government an opportunity to produce the remaining discovery, for the parties to review discovery, and to engage in any discussions regarding a pre-trial disposition. For the same reasons, with consent of the defendants, the Government moves to exclude time under the Speedy Trial Act until the next scheduled status conference.

APPLICATION GRANTED SO ORDERED A. VERNON S. BRODERICK U.S.D.J. 6/9/2020

The status conference scheduled for June 10, 2020 is hereby adjourned to July 10, 2020 at 10:00 a.m. The adjournment is necessary to allow the Government an opportunity to produce the remaining discovery, for the parties to review discovery, and to engage in any discussions regarding a pre-trial disposition. The Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and the defendant in a speedy trial. Accordingly, it is further ordered that the time between June 10, 2020 and July 10, 2020 is hereby excluded under the Speedy Trial Act, 18 U.S.C. 3161 (h)(7)(A), in the interest of justice.

Respectfully submitted,

GEOFFREY S. BERMAN United States Attorney

by: ______/s/ Ni Qian Assistant United States Attorney (212) 637-2364